

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROBERT HOFFMAN,

Plaintiff,

v.

RONALD WYSE,

Defendant.

Case No. 20-11897

Honorable Shalina D. Kumar

Magistrate Judge Elizabeth A. Stafford

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**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF NO. 38),  
GRANTING PLAINTIFF’S REQUEST TO VOLUNTARILY DISMISS (ECF  
NO. 37), AND TERMINATING DEFENDANT’S MOTION FOR  
SUMMARY JUDGMENT AS MOOT (ECF NO. 33)**

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Plaintiff Robert Hoffman filed this action without assistance of counsel. ECF No. 1. This case was referred to the magistrate judge for all pretrial matters pursuant to 28 U.S.C. Section 636(b). ECF No. 29. Defendant Wyse filed a motion for summary judgment. ECF No. 33. Hoffman did not oppose the motion and instead filed a request to voluntarily dismiss. ECF No. 37.

On January 5, 2023, the assigned magistrate judge issued a Report and Recommendation (“R&R”). ECF No. 38. The R&R recommends that the Court grant Hoffman’s request for a voluntary dismissal and suggests that the dismissal be with prejudice because Hoffman acknowledges he

cannot defeat the motion for summary judgment and is abandoning his claims against Wyse. *Id.*; ECF No. 37. No party has filed an objection to the R&R.

The Court has reviewed the record and **ADOPTS** the R&R. Hoffman's request (ECF No. 37) is **GRANTED** and the case is **DISMISSED** with prejudice. The motion for summary judgment (ECF No. 33) is thus **TERMINATED** as moot.

**IT IS SO ORDERED.**

Dated: February 13, 2023

s/Shalina D. Kumar  
SHALINA D. KUMAR  
United States District Judge